

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority for said County and State, personally appeared **Sidney T. Williams**, who is known to me, and after being duly sworn, deposed and said as follows:

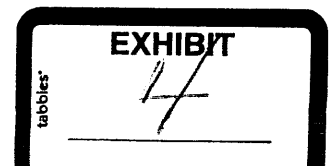
My name is **Sidney T. Williams**. I am currently employed as Chairman of the Alabama Board of Pardons and Paroles, where I preside over the Board's hearings conducted in open public meeting. In that capacity, among other duties, I am one of three regular board members who have the discretionary decision-making authority of whether or not to grant parole or deny parole during parole consideration hearings conducted in open public meetings. I also have the discretionary decision-making authority to reset a prisoner for further parole consideration in conjunction with the *Alabama Board of Pardons and Paroles Rules, Regulations, and Procedures (the "Rules")*.

I did not violate Tony Broach's due process rights. Broach does not have any due process rights when he is being considered for parole. At no time did I improperly consider Broach for parole or discriminate against him.

I am charged with the duty of personally studying prisoners so as to determine their ultimate fitness to be paroled. I did so in this case and decided to vote against granting clemency to Tony Broach, AIS# 136351.

I was **not** on the Board in 1999. I was appointed to serve on the Board by Governor Don Siegelman on October 29, 2001, and was named Chairman of the Board on that date.

✓ However, I did not take any Board action in relation to Broach until the August 11, 2005




hearing, where Broach was denied parole and reset for a tentative parole consideration date in August of 2007.

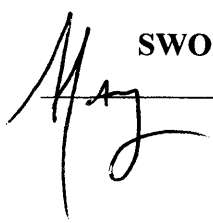
I deny acting arbitrary, capricious, abusive, discriminatory, or in a vindictive manner under the color of state law when considering Tony Broach. for parole in August of 2005, the date of the alleged constitutional violation. I exercised my discretionary decision-making authority in a manner consistent with Alabama law, where I decided to vote against paroling Tony Broach.

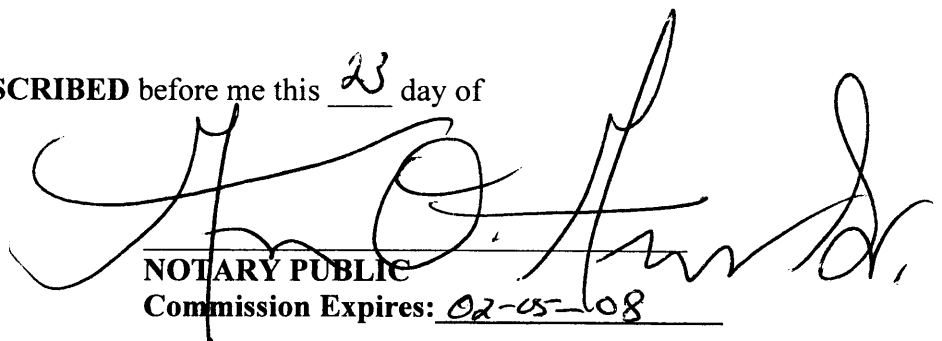
I also exercised my discretionary decision-making authority and voted to reset Broach for further tentative parole consideration in August of 2007 in accordance with the *Rules*. I deny violating the *Rules* or any state statutes.

I do not have the authority to extend or alter a prisoner's sentence. I deny violating Tony Broach's Eighth Amendment rights against Cruel and Unusual Punishment. My authority is listed in the Alabama parole statutes. Extending prison sentences is not listed in those statutes.

I deny violating *any* of Tony Broach's constitutionally protected rights. I acted within my lawful, discretionary authority when considering Broach for parole on August 11, 2005.


 SIDNEY T. WILLIAMS
 CHAIRMAN

 SWORN TO AND SUBSCRIBED before me this 23 day of _____ 2006.


 NOTARY PUBLIC
 Commission Expires: 02-05-08